

DEPARTMENT OF HEALTH

NOTICE OF PROPOSED RULEMAKING

The Director of the Department of Health, pursuant to the authority set forth under Section 302(14) of the District of Columbia Health Occupations Revision Act of 1985, effective March 15, 1986 (D.C. Law 6-99; D.C Official Code § 3-1203.02(14)(2006 Supp.)), and Mayor's Order 98-140, dated August 20, 1998, hereby gives notice of his intent to take final rulemaking action to adopt the following amendment to Chapter 48 of Title 17 of the District of Columbia Municipal Regulations (DCMR) in not less than thirty (30) days from the date of publication of this notice in the D.C. Register. The purpose of this amendment is to end the current prohibition on advertising free or discounted services.

Chapter 48 (Chiropractic) of Title 17 (Business, Occupations & Professions) (May 1990) is amended as follows:

Section 4809.10 is repealed.

All persons desiring to comment on the subject matter of this proposed rulemaking should file comments in writing not later than thirty (30) days after the date of the publication of this notice in the *D.C. Register*. Comments should be sent to the Department of Health, Office of the General Counsel, 825 North Capitol Street, N.E., 4th Floor, Washington, D.C. 20002. Copies of the proposed rules may be obtained from the Department at the same address during the hours of 9:00 a.m. to 5:00 p.m., Monday through Friday, excluding holidays.

DEPARTMENT OF HEALTH

NOTICE OF PROPOSED RULEMAKING

The Acting Director of the Department Health, pursuant to the authority set forth under section 302 (14) of the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1203.02 (14)), and Mayor's Order 98-140, dated August 20, 1998, hereby gives notice of his intent to take final rulemaking action to adopt the following amendments of Chapter 73 of Title 17 of the District of Columbia Municipal Regulations ("DCMR") in not less than thirty (30) days from the date of publication of this notice in the D.C. Register. The purposes of the amendments are to prevent the practice of psychotherapy by persons registered solely as addiction counselors; to establish a standard for any documents submitted as proof of post-secondary education for the purposes of obtaining an addiction counselor registration; to list the organizations qualified to certify addiction counselors; and to add a definition of psychotherapy.

Chapter 73 (Addiction Counselor) of Title 17 DCMR (Business, Occupations & Professions) (May 1990) is amended to read as follows:

A new section 7301.3 is added to read as follows:

7301.3 A person who is registered solely as an addiction counselor in the District of Columbia and is either not licensed to practice medicine, psychology, or professional counseling pursuant to D.C. Official Code § 3-1205.01, or not licensed as an advanced practice registered nurse pursuant to D.C. Official Code § 3-1206.01, or not licensed as an independent clinical social worker pursuant D.C. Official Code § 3-1208.04, shall not perform psychotherapy.

Section 7303.1 is amended to read as follows:

7303.1 An applicant shall furnish proof satisfactory to the Director that the applicant has successfully completed an educational program by obtaining a high school diploma, its equivalent, or greater. Any documents submitted as proof of completion of post-secondary education shall be from an institution which was accredited, at the time the coursework was taken or degree conferred, by an accrediting body recognized by the Secretary of the United States Department of Education or by the Council of Postsecondary Accreditation or its successor.

Section 7303.2 is amended to read as follows:

7303.2 In addition to the requirements in § 7303.1, the Director shall register an applicant who furnishes proof satisfactory to the Director of having

completed a minimum of two hundred (200) hours of training or education obtained from a program recognized either by the National Association of Alcoholism and Drug Abuse Counselors ("NAADAC") or its successor, or by the National Commission for Certifying Agencies, and having the equivalent of two (2) years full-time experience, that is, at least three thousand (3,000) hours, providing direct, supervised addiction counseling services to persons with the primary problem of chemical dependency. The two hundred (200) hours of training or education shall be comprised of the following:

- (a) Twelve (12) hours in Pharmacology;
- (b) Twelve (12) hours in Signs and Symptoms;
- (c) Six (6) hours in Rules and Regulations;
- (d) Twelve (12) hours in Models of Counseling Service and Treatment;
- (e) Eighty (80) hours in Counseling Theory and Dynamics which shall include a Family Dynamics component;
- (f) Twelve (12) hours in Assessment and Treatment Planning;
- (g) Twenty-four (24) hours in Human Development;
- (h) Twelve (12) hours in Ethics;
- (i) Six (6) hours in HIV/AIDS;
- (j) Six (6) hours in DSM-IV(R) Mental Health/Dual Diagnosis which shall include a Relapse Prevention component;
- (k) Six (6) hours of Case Management; and
- (l) Twelve (12) hours of electives.

Section 7303.5 is amended to read as follows:

7303.5 The Director shall register an applicant who furnishes proof satisfactory to the Director that the applicant holds a current and valid certificate as an addition counselor from a regulatory board in another jurisdiction of the United States or from NAADAC or its successor.

Section 7399.1 is amended by adding the following new definition to read as follows:

Psychotherapy – the treatment of mental and emotional disorders through the use of psychological techniques (*e.g.*, insight, persuasion, suggestion, reassurance, and instruction) designed to encourage communication of conflicts and insight into problems, with the goal of relieving symptoms and changing behavior, and thus leading to improved social and vocational functioning.

All persons desiring to comment on the subject matter of this proposed rulemaking should file comments in writing not less than thirty (30) days after the date of publication of this notice in the D.C. Register. Comments should be sent to the Department of Health, Office of the General Counsel, 825 North Capitol Street, N.E., 4th Floor, Washington, D.C. 20002. Copies of the proposed rulemaking may be obtained from the Department at the same address during the hours of 9:00 a.m. to 5:00 p.m., Monday through Friday, excluding holidays.

PUBLIC SERVICE COMMISSION OF THE DISTRICT OF COLUMBIA
1333 H STREET, N.W., SUITE 200, WEST TOWER
WASHINGTON, DC 20005

NOTICE OF PROPOSED RULEMAKING

**FORMAL CASE NO. 977, IN THE MATTER OF THE INVESTIGATION INTO
THE QUALITY OF SERVICE OF WASHINGTON GAS LIGHT COMPANY,
DISTRICT OF COLUMBIA DIVISION, IN THE DISTRICT OF COLUMBIA**

1. The Public Service Commission of the District of Columbia (“Commission”) hereby gives notice, pursuant to Section 2-505 of the District of Columbia Official Code,¹ of its intent to adopt Chapter 37, of Title 15 of the District of Columbia Municipal Regulations (“DCMR”), commonly referred to as the Natural Gas Quality of Service Standards (“NGQSS”). The proposed NGQSS sets forth standards to establish requirements for ensuring that a natural gas utility and natural gas service providers operating in the District of Columbia meet an adequate level of quality, reliability, and safety in the natural gas service provided to District of Columbia residents. The Commission gives notice of its intent to take final rulemaking action in not less than thirty (30) days after publication of this Notice of Proposed Rulemaking (“NOPR”) in the *D.C. Register*.

**CHAPTER 37 NATURAL GAS QUALITY OF SERVICE
STANDARDS**

Secs.	
3700	Purpose and Applicability
3701	Reporting Requirements for Service Outages and Gas Incidents
3702	Reporting and Repairing Requirements for Gas Leaks and Odor Complaints
3703	Reporting and Responding Requirements for Gas Emergencies
3704	Customer Service Standards, Customer Surveys, Service Provisioning
3705	Reliability Standards, Low Pressure Water Infiltration, Underground Damage Prevention, Lost Time Accidents OSHA 300 log
3706	Billing Error Notification
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3708	Waiver
3799	Definitions

¹ D. C. Official Code § 2-505 (2001 Ed.).

3700 PURPOSE AND APPLICABILITY

- 3700.1 The purpose of this chapter is to establish standards and requirements for ensuring that a natural gas utility and natural gas service providers operating in the District of Columbia meet an adequate level of quality, reliability, and safety in the natural gas service provided to District of Columbia customers.
- 3700.2 This chapter shall apply to all natural gas utility and natural gas service providers operating in the District of Columbia, subject to the authority of the Public Service Commission of the District of Columbia (Commission).
- 3700.3 All written Natural Gas Quality of Service Standards ("NGQSS") quarterly and annual reports, studies, surveys, or filings required to be submitted to the Commission shall be docketed under Formal Case No. 977 ("F.C. 977").

3701 REPORTING REQUIREMENTS FOR SERVICE OUTAGES AND GAS INCIDENTS

- 3701.1 The natural gas utility shall report to the Commission and the Office of the People's Counsel (OPC) of the District of Columbia all major and non-major natural gas service outages, as well as incidents that result in the loss of human life, personal injury requiring hospitalization, property damage of over \$5,000, or service disruption directly or indirectly arising from or connected with the gas utility's maintenance or operation, that occur on the natural gas system within the District of Columbia. Additionally, the natural gas utility must include in its operating, maintenance procedures, and emergency plan that it will utilize industry standard testing procedures, such as conducting metallurgical or laboratory analysis of failed components, to identify the root causes of natural gas service outages and to minimize the possibility of recurrence.
- 3701.2 The natural gas utility shall report major service outages by telephone and e-mail to the Commission's Office of Engineering (OE) and the OPC, at the earliest practicable time, but not later than one (1) hour after the utility's dispatch has been informed of a major service outage, with as much detailed information as possible. To the extent all information required by Section 3701.3 is not available at the time of the initial communication, the natural gas utility shall within two (2) hours of the dispatch supplement its initial report with the additional information. This reporting requirement applies to business and non-business hours.

- 3701.3 Each telephone and e-mail report rendered by the natural gas utility subsequent to a major service outage shall state clearly, at a minimum, the following information:
- (a) The location(s) of the service outage(s), including street addresses;
 - (b) The ward(s) and/or quadrant(s) where the service outage(s) occurred;
 - (c) The estimated number of customers out of service, if known;
 - (d) A preliminary assessment as to the cause(s) of the service outage(s), if known; and
 - (e) The estimated repair and/or restoration time, if known.
- 3701.4 During the course of each major service outage, the utility shall report periodically to OE and OPC regarding the status of the service outage and the utility's progress in restoration efforts. The frequency of such periodic updates to OE shall be jointly determined by the utility and OE at the start of the service outage and/or as modified during the course of the service outage. The utility shall provide an update to OE and OPC prior to making any changes to its estimated restoration time.
- 3701.5 Estimated restoration information, if available, shall be provided to District of Columbia customers by the utility's customer service representatives and by the utility's automated voice response unit.
- 3701.6 The natural gas utility shall file a written report concerning all major service outages with the Office of the Commission Secretary (OCMS) and to OPC within three (3) weeks following the end of a major service outage.
- 3701.7 Each written report concerning a major service outage shall state clearly, at a minimum, the following information:
- (a) The dates and times when the major service outage began and ended;
 - (b) The time the natural gas utility received the first call regarding the outage(s) or became aware of the outage(s);
 - (c) The dates and times when the restoration effort began and ended;
 - (d) The date and time when the maximum number of customers were experiencing a sustained interruption and the total number of

- customers affected at that time (both on a system-wide basis and for the District of Columbia only);
- (e) The total number of customers that experienced a sustained interruption given in one hour intervals throughout the major service outage (both on a system-wide basis and for the District of Columbia only);
 - (f) The total number of customer interruption durations (converted into hours) during the major service outage (both on a system-wide basis and for the District of Columbia only);
 - (g) Any information concerning requests made for outside assistance, including the organization(s) to which such requests were made, the date and time of the requests, and the resources requested;
 - (h) Any information concerning outside assistance received, including the organization(s) that provided personnel, the date(s) and time(s) of personnel arrivals and departures, all crew personnel certified with operator qualification status by type of work that can be assigned and performed, the number of and types of vehicles provided, the total number of personnel received, the total number of personnel assigned to transmission lines restoration service crews, the total number of personnel assigned to distribution system restoration crews, the total number of personnel assigned to rights of way clearing crews, the total number of personnel assigned to pressure regulation and measurement crews, the total number of personnel assigned to drip pumping crews, and the total number of personnel assigned to service utilization crews;
 - (i) Any information concerning the utility's own personnel and resources used in restoration efforts, including the total number and types of vehicles used, the total number of utility personnel involved in the restoration effort, the number of personnel assigned to transmission lines restoration service crews, the total number of personnel assigned to distribution system restoration crews, the total number of personnel assigned to damage assessment crews, the total number of personnel assigned to rights of way clearing crews, the total number of personnel assigned to pressure regulation and measurement crews, the total number of personnel assigned to drip pumping crews, and the total number of personnel assigned to service utilization crews;
 - (j) Any information concerning customer communications, including the hourly call volumes (specifically identifying the total number of customer calls received and the total number of calls answered

- by the utility during each hour of the service outage), the hourly staffing numbers (specifically identifying the total number of customer service representatives logged into the call center and supporting phone systems actively taking or waiting to take customer calls), and the telephone service factor provided on an hourly basis during the entire duration of the service outage (specifically identifying the percentage of answered calls that were answered within a 30-second timeframe);
- (k) The total number of customers interrupted and the customer interruption durations (converted into hours) caused by each of the following: water in the main, poor pressure, over and under pressure conditions, frozen meters, pressure regulator malfunctions, lightning damage, ice or snow near pressure regulator vents, and any other major causes (both on a system-wide basis and for the District of Columbia only);
 - (l) The total number of each of the following occurring as part of the emergency restoration efforts: the footage of main replaced, number of regulators and meters replaced, the number of transmission and distribution regulator station equipment replaced, relief valve replacements, service piping replacements, the number of mechanical couplings replaced, additional excess flow valves installed on services and other appurtenances or issued for replacement (both on a system-wide basis and for the District of Columbia only);
 - (m) Any issues concerning the availability of materials that affected restoration progress and a description of the emergency measures taken to resolve such issues;
 - (n) A self-assessment of the utility's restoration efforts in the District of Columbia;
 - (o) The total number of customers, and percent of all customers, restored, given in one-hour intervals throughout the major service outage restoration effort (both on a system-wide basis and for the District of Columbia only); and
 - (p) An analysis, based upon the availability of the data and all other surrounding circumstances, of the utility's performance in its current restoration efforts as compared to its past restoration efforts, taking into account all relevant factors, such as the severity of the current major service outage in terms of the percent of customers affected on a system-wide or local basis.

3701.8 The utility shall report non-major service outages by telephone and e-mail to OE and OPC at the earliest practicable time, but not later than one (1) hour after the utility's dispatch has been informed of a non-major service outage, with as much detailed information as possible. To the extent all information required by Section 3701.10 is not available at the time of the initial communication, the natural gas utility shall within two (2) hours of the dispatch supplement its initial report with the additional information. This reporting requirement applies to business and non-business hours.

3701.9 Notwithstanding the above:

- (a) The natural gas utility shall report a single customer service outage of more than eight (8) hours only upon verification that the service outage was caused by some event on the utility's side of the customer's meter;
- (b) No report need be filed if the single customer service outage was caused by some event on the customer's side of the meter; and
- (c) No report need be filed if the outage is the result of planned maintenance activities, provided that the customer was informed prior to the implementation of the maintenance activities.

3701.10 Each telephone and e-mail report concerning a non-major service outage shall state clearly, at a minimum, the following information:

- (a) The location(s) of the service outage(s), including street addresses;
- (b) The ward(s) and/or quadrant(s) where the service outage(s) occurred;
- (c) The estimated number of customers out of service, if known;
- (d) A preliminary assessment as to the cause(s) of the service outage(s), if known; and
- (e) The estimated repair and/or restoration time, if known.

The natural gas utility shall provide regular updates, to OE and OPC, to the initial report as it receives more information.

3701.11 Written reports concerning all non-major service outages shall be submitted by the natural gas utility to OE and OPC within ten (10) days from the date of repair/restoration completion or within three (3) weeks of the event occurrence, whichever comes first.

3701.12 Each written report concerning non-major service outages shall state clearly, at a minimum, the following information as applicable to the given incident:

- (a) A description of the service outage(s) and information as to the cause of the outage(s);
- (b) The location(s) of the service outage(s), including street addresses;
- (c) The ward(s) and/or quadrant(s) where the service outage(s) occurred;
- (d) The time the natural gas utility received the first call regarding the outage(s) or became aware of the outage(s);
- (e) The actual repair and restoration times of the service outage(s);
- (f) The duration of the service outage(s) rounded to the nearest hour and half-hour;
- (g) The estimated number of customers affected by the service outage(s); and
- (h) The steps taken to minimize and/or control the service outage(s).

3701.13 The natural gas utility shall report by telephone and e-mail all incidents that result in the loss of human life and/or personal injury requiring hospitalization, and/or property damage of \$5,000 or more directly or indirectly arising from or connected with the natural gas utility's maintenance or operation, to OE and OPC at the earliest practicable time, but not later than thirty (30) minutes after the utility's dispatch has been informed of the incident, with as much detailed information as possible. To the extent all information required by Section 3701.14 is not available at the time of the initial communication, the natural gas utility shall within two (2) hours of the dispatch supplement its initial report with the additional information. The natural gas utility shall continue providing updates to the Commission and OPC on all incidents as information becomes available. This reporting requirement applies to business and non-business hours.

3701.14 Each telephone and e-mail report concerning the loss of human life and/or personal injury, and/or property damage of \$5,000 or more, shall state clearly, at a minimum, the following information:

- (a) A description of the incident(s);

- (b) The location(s) of the incident(s), including street addresses;
- (c) The ward(s) and/or quadrant(s) where the incident(s) occurred;
- (d) The estimated number of customers and/or persons affected, if known;
- (e) A preliminary assessment as to the cause(s) of the incident(s), if known; and
- (f) The steps the natural gas utility will voluntarily take to provide assistance to consumers.

3701.15 Written reports concerning all incidents that result in the loss of human life and/or personal injury requiring hospitalization, and/or property damage of \$5,000 or more, directly or indirectly arising from or connected with the natural gas utility's maintenance or operation, shall be filed with OCMS and OPC within five (5) days of the event occurrence.

3701.16 Each written report concerning the loss of human life and/or personal injury and/or loss of property in an amount of \$5,000 or more, shall state clearly, at a minimum, the following information:

- (a) A description of the incident(s) and information as to the cause of the incident(s);
- (b) The location(s) of the incident(s), including street addresses;
- (c) The ward(s) and/or quadrant(s) where the incident(s) occurred;
- (d) The time the natural gas utility received the first call regarding the incident(s) or became aware of the incident(s);
- (e) The estimated number of customers and/or persons affected, and street shutdowns;
- (f) The steps the natural gas utility took to provide assistance;
- (g) The amount of time it took for assistance to arrive;
- (h) The total number of injuries and fatalities;
- (i) The total dollar amount of damage caused by the incident(s), if known;

- (j) The results of investigations into the root causes and steps the natural gas utility will implement to prevent such an occurrence in the future; and
- (k) Any other information, including any third party damage, that may be requested by the Commission.

The natural gas utility shall update the initial written report within thirty (30) days of the event occurrence.

3702 REPORTING AND REPAIRING REQUIREMENTS FOR GAS LEAKS AND ODOR COMPLAINTS

- 3702.1 The natural gas utility's reporting and repair requirements for gas leaks and odor complaints shall follow four steps: (i) respond to all leaks and odor complaints; (ii) notify, by e-mail and telephone, OE and OPC; (iii) provide periodic updates to the initial notification; and (iv) submit written reports on the results of the leak detection and repair, and odor complaints. The leak detection, classification, and repair personnel should meet the federal training requirements for natural gas operations, maintenance, and emergencies (49 Code of Federal Regulations, Part 192).
- 3702.2 The natural gas utility shall respond to all gas leaks and customer reported odor complaint calls within fifty (50) minutes after the utility's dispatch has been informed about the leak and odor complaint during business or non-business hours. The natural gas utility shall provide the results to OE and OPC on a semi-annual basis. The natural gas utility shall provide explanations if these time limits are exceeded.
- 3702.3 The natural gas utility shall report to OE and OPC by telephone and e-mail all natural gas leaks and customer reported odor complaint calls at the earliest practicable time, but not later than one (1) hour after the utility's dispatch has been informed about the odor complaint and/or the dispatch has determined that a leak has occurred on the utility's gas system, with as much detailed information as possible. To the extent all information required by Section 3702.5 is not available at the time of the initial communication, the natural gas utility shall within two (2) hours of the dispatch supplement its initial report with the additional information. Gas leaks found inside customers' facilities and odor complaints where no leaks are found shall not be reported. This reporting requirement applies to business and non-business hours.
- 3702.4 Each gas leak shall be categorized as Grade 1, 2, or 3. All leaks shall be classified with the following criteria:

- (a) Grade 1: A leak that presents an immediate or probable hazard to persons or property, and requires immediate repair or continuous action until the conditions are no longer hazardous;
- (b) Grade 2: A leak that is recognized as being non-hazardous at the time of detection, but requires scheduled repair based on probable future hazard; and
- (c) Grade 3: A leak that is non-hazardous at the time of detection and can be reasonably expected to remain non-hazardous.

3702.5

Each telephone and e-mail report of a Grade 1 leak or a leak due to a gas-related odor complaint shall state clearly, at a minimum, the following information:

- (a) A description of the type of leak(s);
- (b) The location of the leak(s), including street addresses;
- (c) The ward(s) and/or quadrant(s) where the leak(s) occurred;
- (d) The estimated number of customers and/or persons whose service was disrupted, if known;
- (e) A preliminary assessment as to the cause of the leak(s), if known; and
- (f) The estimated time to repair the leak, if known.

The natural gas utility shall provide regular updates, to OE and OPC, to the initial report as it receives more information.

3702.6

Each e-mail report of a Grade 2 leak shall state clearly, at a minimum, the following information:

- (a) A description of the type of leak(s);
- (b) The location of the leak(s), including street addresses;
- (c) The ward(s) and/or quadrant(s) where the leak(s) occurred;
- (d) A preliminary assessment as to the cause of the leak(s), if known; and
- (e) The estimated time to repair the leak(s), if known.

3702.7

Each e-mail report of a Grade 3 leak shall state clearly, at a minimum, the following information:

- (a) A description of the type of leak(s);
 - (b) The location of the leak(s), including street addresses; and
 - (c) The ward(s) and/or quadrant(s) where the leak(s) occurred.
- 3702.8 All Grade 1 leaks shall be promptly repaired. If not repaired immediately, upon detection, the utility shall submit a weekly written report to OE and OPC regarding the status of and the utility's progress in completing the leak repair. The natural gas utility shall inform OE and OPC prior to making any changes to the estimated leak repair time(s).
- 3702.9 Each written report concerning Grade 1 leaks or customer reported odor complaint leaks shall state clearly, at a minimum, the following information as applicable to the incident:
- (a) Address and location of the leak or odor;
 - (b) A description of the type of leak;
 - (c) Pressure involved (Transmission, High Pressure, Medium Pressure or Low Pressure);
 - (d) The ward(s) and/or quadrant(s) where the leak has been identified;
 - (e) The time the utility received the first call regarding a gas leak or leak detection;
 - (f) The cause of the leak, if known;
 - (g) The actual repair time; and
 - (h) Any action taken to date.
- 3702.10 Grade 2 leaks shall be monitored and reevaluated at least once every six months until cleared with no further signs of leak. Depending on the location and magnitude of the leakage condition, reevaluation may be made earlier than six months. If reevaluation of a Grade 2 leak indicates potential hazard, it shall be scheduled for repair within five (5) working days of completed evaluation. For Grade 2 leaks that do not pose an immediate hazard, the utility shall schedule repairs within thirty (30) days. Grade 2 leaks shall be repaired or cleared within one calendar year, but no later than 15 months from the date the leak was reported.
- 3702.11 Grade 3 leaks shall be monitored and reevaluated during the next scheduled leak survey, or within 15 months of the date reported,

whichever occurs first, until the leak is regraded or cleared with no further signs of leak.

- 3702.12 Written reports for leaks classified as Grade 2 and Grade 3 shall be filed semi-annually with OCMS and OPC. The report shall be submitted forty-five (45) days after the reporting period, starting with the six-month reporting period following the NGQSS's adoption in Title 15 of the District of Columbia Municipal Regulations (DCMR).
- 3702.13 Each semi-annual written report concerning Grade 2 leaks, shall state clearly, at a minimum, the following information as applicable:
- (a) Address and location of the leak or odor;
 - (b) A description of the type of leak;
 - (c) Pressure involved (Transmission, High Pressure, Medium Pressure or Low Pressure);
 - (d) The ward(s) and/or quadrant(s) where the leak was identified;
 - (e) Assessment as to the cause of the leak(s); and
 - (f) The schedule and the status of repair of all Grade 2 leaks consistent with the standard provided in Section 3702.10.
- 3702.14 Each semi-annual written report concerning Grade 3 leaks, shall state clearly, at a minimum, the following information as applicable:
- (a) Address and location of the leak or odor;
 - (b) A description of the type of leak;
 - (c) Pressure involved (Transmission, High Pressure, Medium Pressure or Low Pressure);
 - (d) The ward(s) and/or quadrant(s) where the leak was identified; and
 - (e) The status of reevaluation and repair schedule, if applicable, of Grade 3 leaks, consistent with Section 3702.11.
- 3702.15 The natural gas utility shall create and maintain a database for all gas leaks and customer reported gas-related odor complaints. The database shall be referred to as the "Leak Identification, Detection and Repair, and Odor Complaints (LIDAROC)". The database shall contain, at a minimum, the grade of the leak, type of leak, location of the leak, the ward and/or quadrant where the leak occurred, estimated number of customers whose services were disrupted because of the leak, the cause of the leak, response time, estimated and actual time to repair the leak, and actions taken. The natural gas utility shall incorporate all natural gas leaks and customer reported odor complaint calls into the database within five (5) days of

receipt of the gas-related odor complaint and/or determination that a leak has occurred on its gas system. The database shall be organized in a way that permits analysis of the data by the time taken to respond, repair, and resolve the gas leaks.

3702.16 The natural gas utility shall update the database after it has repaired and/or resolved the leak and customer reported odor complaints and shall submit an electronic and a hard copy of the database to OE and OPC on a quarterly basis.

3703 REPORTING AND RESPONDING REQUIREMENTS FOR GAS EMERGENCIES

3703.1 The natural gas utility shall immediately dispatch personnel to the site of the natural gas-related emergency, and shall arrive at the site within fifty (50) minutes of receiving an emergency call during normal business and non-business hours.

3703.2 All natural gas-related emergencies shall be reported by telephone and e-mail to OE and OPC at the earliest practicable time, but not later than thirty (30) minutes after the utility's dispatch has been informed that an emergency has occurred, with as much detailed information as possible. The natural gas utility shall provide updates to the initial report as it receives more information. This reporting requirement applies to business and non-business hours.

3703.3 Each telephone and e-mail report of a gas-related emergency shall state clearly, at a minimum, the following information:

- (a) The location of the gas-related emergency, person making the report and contact information;
- (b) The ward(s) and/or quadrant(s) where the emergency occurred;
- (c) The estimated number of customers impacted by the emergency, and street shutdowns, if known;
- (d) A preliminary assessment as to the cause of the gas-related emergency, if known;
- (e) The time between becoming aware of the emergency and responding (arriving at the emergency site) to the emergency, if known;
- (f) The estimated time to clear the emergency, if known;

- (g) The estimated time to repair pipeline facilities affected by the emergency, and/or restore service, if known; and
- (h) A preliminary assessment as to any injuries, deaths, or personal property damage, if known.

3703.4 During the course of a natural gas-related emergency on the natural gas utility's system, the utility shall report periodically by telephone and e-mail to OE and OPC, regarding the status of the natural gas emergency and the utility's progress in clearing the emergency and making the site safe. The utility shall provide updates or progress on the gas-related emergency every hour until the emergency is resolved.

3703.5 Written reports concerning all natural gas-related emergencies shall be filed with OCMS and OPC within five (5) days of the event occurrence. The utility shall provide updates to its written report as it receives more information.

3703.6 Each written report concerning a natural gas-related emergency shall state clearly, at a minimum, the following information:

- (a) The location of the natural gas emergency;
- (b) The date and time when the natural gas-related emergency started;
- (c) The date and time when the emergency crew arrived at the scene;
- (d) The date and time when the natural gas-related emergency ended;
- (e) An assessment as to the cause, origin, and contributing factors of the natural gas related emergency; and
- (f) The steps the utility is taking to minimize the possibility of a recurrence of the incident.

3704 CUSTOMER SERVICE STANDARDS, CUSTOMER SURVEYS, SERVICE PROVISIONING

3704.1 The natural gas utility shall maintain a customer service (walk-in) office physically located in the District of Columbia.

3704.2 The natural gas utility shall conduct annual customer surveys to assess customer satisfaction with the quality of customer service provided by the company to DC customers. The gas utility shall provide the results of the surveys to OE and OPC. The customer satisfaction surveys should be

conducted from (1) a statistically representative sample of residential customers; and (2) customers randomly selected from those customers who have contacted the company's customer service department within the year in which service is being measured. The representative sample shall be drawn from customers contacting the company's customer service department in the previous year and shall be conducted with a sample of customers who contacted the natural gas utility by walk-in, telephone, or e-mail. The survey instrument and the method shall be pre-approved by OE. The natural gas utility shall include the results from all available previous years of the survey up to a maximum of ten years in the Quality of Service Standard Performance Report ("QSSPR").

- 3704.3 The natural gas utility shall gather data and report statistics regarding the number of service calls met on the same day requested or scheduled, excluding instances where a customer misses a mutually agreed upon time. The natural gas utility shall report the percentage of scheduled service appointments met by the utility on the same day requested. Service appointment data shall be compiled and aggregated monthly. A minimum performance standard of 95% on a quarterly basis will apply. The natural gas utility shall record the delay, in hours and/or days, in responding to requested or scheduled service calls. The natural gas utility shall provide the results on service calls met and delayed to OE and OPC on an annual basis in the QSSPR.
- 3704.4 The natural gas utility shall gather data on the percentage of meters that are actually read by the company on a monthly basis. Eligible meters include both residential and commercial accounts. On-cycle meter reads performance standard of 95% on a quarterly basis will apply. The natural gas utility shall provide the results to OE and OPC on an annual basis in the QSSPR.
- 3704.5 The natural gas utility shall perform the customer requested meter testing on a timely basis, but at a minimum shall test 97% of meters, on a quarterly basis, on pre-scheduled test time mutually agreed upon by the utility and the customer. The natural gas utility shall submit its results to OE and OPC on an annual basis in the QSSPR.
- 3704.6 The natural gas utility shall answer at least seventy (70) percent of all customers' phone calls within thirty (30) seconds and shall maintain records delineating customer phone calls answered by a utility representative or an automated operator system. The natural gas utility shall measure and report on an annual basis to OE and OPC the average customer wait time for being transferred from an automated operator system to a utility representative.

- 3704.7 The natural gas utility's statistics concerning customer calls answered shall exclude calls made during periods of major telecommunications failures, periods of labor disruptions, and periods of major service outage.
- 3704.8 The natural gas utility shall maintain a call abandonment rate below ten (10) percent on a quarterly basis, and shall report the information to OE and OPC on an annual basis in the QSSPR.
- 3704.9 The natural gas utility's call abandonment statistics shall exclude calls made during periods of major telecommunications failures, periods of labor disruption, and periods of major service outage.
- 3704.10 If the natural gas utility fails to meet the standards set forth in Sections 3704.3, 3704.4, 3704.5, 3704.6 or 3704.8, for two consecutive quarters, it shall be required to develop a corrective action plan.
- 3704.11 The corrective action plan shall describe the cause(s) of the utility's non-compliance with Section 3704.3, 3704.4, 3704.5, 3704.6 or 3704.8, describe the corrective measure(s) to be taken to ensure that the standard is met or exceeded in the future, and set a target date for completion of the corrective measure(s).
- 3704.12 Progress on current corrective action plans shall be included in the utility's annual QSSPR, filed with OCMS, OE, and OPC by April 30 of each year starting with the year after the adoption of the NGQSS's in Title 15 of the District of Columbia Municipal Regulations (DCMR).
- 3704.13 On a quarterly basis, the natural gas utility shall complete installation of 80% of new residential service requests within ten (10) business days of the start date for the new installation.
- 3704.14 The start date for a new installation shall be designated as the first business day after all of the following events have taken place:
- (a) The customer's valid billing information is received;
 - (b) The site is ready for service (cleared, graded, staked, etc.);
 - (c) The service connection fee is paid, if applicable;
 - (d) The gas safety inspection is received;
 - (e) The security deposit is paid, if applicable;
 - (f) All mains and regulating facilities are installed;

- (g) Any required public space excavation is completed;
- (h) Any delays due to weather emergencies do not intervene; and
- (i) All rights-of-way and permits are obtained, and all One-Call requirements have been met.

3704.15 The natural gas utility shall submit a written report on its performance pursuant to Section 3704.13 every six (6) months. The report shall be submitted to OE and OPC, forty-five (45) days after the six-month reporting period ends, starting with the six month period following the adoption of the NGQSS's in Title 15 of the District of Columbia Municipal Regulations (DCMR).

3704.16 After the submission of four (4) consecutive reports pursuant to Section 3704.15, the Commission may modify the frequency of the reporting.

3704.17 The reports pursuant to Section 3704.15 shall clearly state the total number of new residential service installation requests received during the relevant reporting period, and for the new residential installation service requests received, the percentage of new residential service connections that were completed in accordance with Section 3704.13.

3704.18 If the natural gas utility fails to meet the standard set in Section 3704.13 in any two consecutive quarters, it shall develop a corrective action plan.

3704.19 The corrective action plan shall describe the cause(s) of the utility's non-compliance with Section 3704.13, describe the corrective measure(s) to be taken to ensure that the standard is met or exceeded in the future, and set a target date for completion of the corrective measure(s).

3704.20 Progress on any current corrective action plans shall be included in the utility's annual QSSPR.

3704.21 The natural gas utility shall report the actual performance obtained during the reporting period in the annual QSSPR of the following year.

3705 RELIABILITY STANDARDS, LOW PRESSURE WATER INFILTRATION, UNDERGROUND DAMAGE PREVENTION, LOST TIME ACCIDENTS OSHA 300 LOG

3705.1 The natural gas utility shall establish a gas main ranking index to determine its gas main segments (including associated service lines) most in need of improvement or replacement. Factors associated with the main ranking index for making improvement and replacement decisions include, poor leak history, poor cathodic protection or poor gas main

conditions determined from visual observations, poor pressure in the area, interruption of service due to water infiltration, segment affected by city or state public improvement projects, etc. At least once each calendar year, the natural gas utility shall rank and identify areas of piping networks of its natural gas operating system requiring improvements to eliminate segments most susceptible to leakage, failure, supply interruptions or failure to meet its minimum design pressure and volume deliverability requirements. The utility shall establish a performance ranking by area, on a scale of one to ten, one being the poorest performing segment. The natural gas utility shall provide the results to OE and OPC on a biennial basis.

- 3705.2 Each calendar year, the natural gas utility shall perform the necessary analysis for the issues identified in Section 3705.1, and provide plans for eliminating the ten worst performing segments due to low pressure or interruption problems. The natural gas utility shall file the results with OCMS and OPC on a biennial basis.
- 3705.3 The natural gas utility shall respond to all underground utility locate requests and locate their facilities in accordance with the damage prevention laws established within the District of Columbia and the U.S. Department of Transportation. The utility shall maintain an accurate count of all locate requests, responses to locate requests, number of gas main and service lines inaccurately marked which resulted in damages or construction delays, number of locations which the utility failed to mark as required by the damage prevention rules, number of calls not made by excavation contractors for accurately marked utility lines as determined by calls or reports of incidents to underground utilities, damages caused by excavators or third party to gas facilities (both above ground and underground), third party responsible for the damage, and the root cause(s) of the damage. An annual report shall be filed with OCMS and OPC in the QSSPR.
- 3705.4 The natural gas utility shall monitor high volume condensate drips on its low pressure distribution network to minimize service continuity disruption. In no case shall a natural gas customer outage due to condensate accumulation be more than 5% of the low-pressure customer base during two consecutive winter periods. The natural gas utility shall prepare a remediation plan within 120 days of exceeding the 5% standard of service interruption, for the approval of the Commission, and provide a target date for completion of the recommended repair to the low-pressure piping network. The natural gas utility shall file the results with OCMS and OPC on an annual basis in the QSSPR.
- 3705.5 The standard in 3705.4 may be changed or modified, at a later date, based on a study of trends in service interruptions.

3705.6 The natural gas utility shall measure annually its Lost Time Accident Rate as reported in the Occupational Safety and Health Administration (“OSHA”) 300 Log Summary of Occupational Injuries and Illnesses. The natural gas utility may provide this information on a system-wide basis with a breakdown for each of the jurisdictions. The natural gas utility shall provide the results to OE and OPC on an annual basis in the QSSPR.

3706 BILLING ERROR NOTIFICATION

3706.1 The natural gas utility and all natural gas service providers must inform OE and OPC when a billing error has affected 100 or more customers or when the number of affected customers is equal to or more than two (2) percent of the natural gas utility’s or natural gas service provider’s customer base, whichever is fewer. The natural gas utility and natural gas service providers with a customer base of fewer than 100 customers shall report errors when two (2) or more customers are affected.

3706.2 The natural gas utility and all natural gas service providers shall submit an initial billing error notification within one (1) business day of discovering or being notified of the error. After submitting the initial notification, the natural gas utility and natural gas service providers must submit a follow-up written report within 14 calendar days and a final written report within 60 calendar days.

3706.3 The initial billing error notification shall be sent via e-mail to OE and OPC.

3706.4 The initial billing error notification shall contain the following information:

- (a) Type(s) of billing error(s) found;
- (b) Date and time the billing error(s) was discovered;
- (c) How the natural gas utility service provider discovered the error(s); and
- (d) Approximate number of customers affected.

3706.5 The follow-up written report shall contain the following information:

- (a) Type(s) of billing error(s);
- (b) Date and time of the billing error(s);

- (c) Number of customers affected;
- (d) Cause of the error and status of any and all corrective action(s) taken; and
- (e) Timeline for completing any and all other required corrective action(s) which must include the provision of refunds and/or credits, no later than 60 days after the billing error(s) was discovered, as necessary to correct the billing error(s).

3706.6 The final written report shall contain the following information:

- (a) Type(s) of billing error(s);
- (b) Date and time of billing error(s);
- (c) Number of customers affected and the dollar amount involved;
- (d) Duration of the billing error(s);
- (e) Corrective action(s) and preventative measure(s) taken; and
- (f) Lessons learned, if any.

3706.7 Upon receipt of the final written report, the Commission shall determine whether any further investigation is necessary.

3706.8 No later than 60 days after the date the natural gas utility or natural gas supplier discovers or is notified of the billing error(s), it shall notify each affected customer of the following:

- (a) The nature of the error;
- (b) The amount by which the customer's previous bill(s) were inaccurate; and
- (c) If appropriate, the steps the natural gas utility or natural gas service provider will take to ensure that the customer receives a full refund if overbilled or make payment if underbilled no later than the date specified in Section 3706.5(e).

The natural gas utility shall inform customers by letter to describe the nature of the billing error and the corrective action that the company intends to implement. If a refund or outstanding balance appears on a

customer's billing statement, the gas utility shall provide a clear description and explanation of the reason(s) for the error.

3707 PENALTIES

3707.1 Failure to comply with this Chapter may result in the penalties described in D.C. Official Code § 34-706 for failure to comply with Commission rules and regulations.

3708 WAIVER

3708.1 The Commission may, in its discretion, waive any provisions of Chapter 37 of this title.

3799 DEFINITIONS

3799.1 When used in this chapter, the following terms and phrases shall have the meaning ascribed:

Abandoned Calls – calls to the natural gas utility that are terminated by the customer after the customer selects the menu option and is placed in the queue, but before the call is answered by the utility customer representative or any other automated response system.

Normal Business Hours – Monday through Friday, 8:00 a.m. to 9:00 p.m., and Saturday, 8:00 a.m. to 4:30 p.m. (except major holidays). The main office serves customers Monday through Friday (except holidays) from 8:30 a.m. to 4:30 p.m. The Anacostia office accepts bill payments by check or money order only, Monday through Friday (except holidays), 8:00 a.m. to 4:00 p.m. All other hours including, holidays and Sunday are designated as non-normal business hours.²

Call Abandonment Rate – the annual number of calls to the utility's call center or business office that were abandoned divided by the total number of calls the utility received.

Call Answering – a process whereby natural gas utility representative, voice response unit, or other automated operator system is ready to render assistance or ready to accept information necessary to process a customer's call. An acknowledgement that the customer is waiting on the line does not constitute an answer.

Commission – Public Service Commission of the District of Columbia.

² This definition of business and non-business hours applies to Washington Gas Light Company.

Condensate Drips – devices installed on low pressure natural gas distribution system at its lowest elevation to facilitate collection of condensates such as ground water or other liquids infiltrating into the gas piping.

Dispatch – unit of the gas utility that receives calls, disseminates information and assigns service calls to technicians and field crews, and acknowledges their feedback during responses to gas leaks, incidents and emergencies.

Distribution Line – gas pipelines that provide natural gas delivery service to customers.

Gas Emergency – any sudden and unexpected situation where leakage, blowing gas, loss of gas pressure, an overpressure condition, or loss of telemetry or control-system has caused or may cause serious injury or damage to life and/or property. Examples of emergencies include gas-fed fires, explosions involving gas, escaping gas, unplanned supply interruptions, releases of hazardous material, carbon monoxide poisonings, and odorant releases.

Gas Pipeline Facility – a pipeline, a right of way, a building, or equipment used in transporting natural gas or treating natural gas during its transportation.

Gas Related Emergency Call – a telephone call where the caller believes that he or she is confronting special circumstances that might lead to bodily and/or system-related damage if circumstances remain unaddressed. Examples include, but are not limited to, gas detected inside or near buildings, fire/explosion near or directly involving gas pipeline facility with or without escaping gas, vehicle accidents, natural disasters, unplanned supply interruption, uncontrolled escape of gas, or other conditions that may warrant immediate response.

High Pressure (HP) System – a gas pipeline in which the gas pressure is higher than the pressure provided to the customer. Typically, high pressure pipelines operate over 60 pounds per square inch gauge (psig) and are not transmission pipes.

Interruption Duration – the period of time, truncated or rounded to the nearest minute, during which a sustained interruption occurs.

Incident – an event involving the release or potential release of natural gas that interrupts normal operations or causes a crisis. A reportable incident is an event that involves the release of gas and a death or injury requiring in-patient hospitalization or property damage of at least \$5,000. Incidents include damages or costs in excess of \$5,000, or an event receiving media attention or that requires closing a public street.

Low Pressure (LP) System – a gas pipeline in which the pressure is substantially the same as the pressure provided to the normal residential customer. Low pressure lines normally operate at 7.8 inches water column.

Major Service Outages – customer interruption occurrences and durations during time periods when 2% or more (2,500) of the natural gas utility’s District of Columbia customers are without service and the restoration effort due to this service outage takes more than twenty-four (24) hours.

Medium Pressure (MP) System – a gas pipeline in which the gas pressure is higher than the pressure provided to the customer. Typically, medium pressure pipelines operate higher than the LP System (at 7.8 inches water column) up to 60 pounds per square inch gauge (psig).

Natural Gas – is a gaseous flammable fossil fuel consisting primarily of methane.

Natural Gas Service Provider – a natural gas supplier, including an Aggregator, Broker, or Marketer, who generates or produces natural gas, sells natural gas, or purchases, brokers, arranges, or markets natural gas for sale to customers.

Natural Gas Utility – the company that owns or controls the distribution facilities required for the transmission and delivery of natural gas to customers, provides sales service and delivery of distribution service of natural gas, and is regulated by the Public Service Commission of the District of Columbia.

Non-major Service Outages – customer service outages caused by the failure of devices such as pressure regulators, underground excavation damage, or meter freeze-ups lasting more than eight (8) hours, regardless of how many customers are affected; or customer service outages affecting over 25 but fewer than 2,500 customers, regardless of duration.

Occupational Safety and Health Administration (OSHA) 300 log (OSHA 300 Log) – a log of all recordable occupational injuries and illnesses on forms approved by OSHA. This form is called OSHA 300 Log. It is regularly updated by OSHA. OSHA 300 Log should be used to record each case within seven (7) calendar days after the employer received information that a recordable work-related injury or illness has occurred.

Office of the Commission Secretary (OCMS) – Secretary of the Public Service Commission of the District of Columbia.

Office of Engineering (OE) – Office of Engineering of the Public Service Commission of the District of Columbia.

Office of the People’s Counsel (OPC) – Office of the People’s Counsel of the District of Columbia.

Outside Assistance – resources not routinely used by a natural gas utility for service restoration. Natural gas utility resources transferred among utility operating areas are not considered outside assistance.

PSIG – pounds per square inch gauge.

Regulator Station – a facility for controlling the pressure and flow of natural gas serving a distribution system.

Specified Minimum Yield Strength (SMYS) – the minimum yield strength, expressed in pounds per square inch, for steel pipe manufactured in accordance with a listed specification. Usually, a test stresses the pipeline to a predetermined percentage of its SMYS. This is a common term used in the oil and gas industry for steel pipe used under the jurisdiction of the United States Department of Transportation.

Telephone Service Factor – the percentage of calls answered within a specified amount of time. For example, if the service level time is set at thirty (30) seconds and 70 percent of calls are answered in less than 30 seconds, then the telephone service factor is 70.

Transmission Line – a pipeline, other than a gathering line, that: (1) transports gas from a gathering line or storage facility to a gas distribution center, storage facility, or large volume customer that is not down-stream from a gas distribution center; (2) operates at a hoop stress of 20 percent or more of SMYS; or (3) transports gas within a storage field.

2. All persons interested in commenting on the subject matter of this proposed rulemaking action may submit comments, in writing, not later than thirty (30) days after publication of this notice in the D.C. Register, with Reply Comments to be filed within forty-five (45) days from the date of publication in the D.C. Register to Dorothy Wideman, Commission Secretary, Public Service Commission of the District of Columbia, 1333 H Street, N.W., West Tower, Suite 200, Washington, D.C. 20005. Copies of these proposed rules may be obtained on the Commission's website, www.dcpssc.org, or at cost, by writing the Commission Secretary at the above address.